

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAPLAN GROUP INVESTMENTS LLC
et al.,

Plaintiffs,

-v-

A.S.A.P. LOGISTICS LTD. *et al.*,
Defendants.

22-CV-7326 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Plaintiffs invoke this Court's diversity jurisdiction pursuant to 28 U.S.C. § 1332. However, the Complaint does not adequately demonstrate the Court's subject matter jurisdiction because it does not allege the citizenship of each of the members of the LLC parties. The principal place of business and state of registration of a limited liability company are not relevant to the question of diversity of citizenship under § 1332. Rather, for purposes of diversity jurisdiction, an LLC has the citizenship of *each* of its members. *See ICON MW, LLC v. Hofmeister*, 950 F. Supp. 2d 544, 546 (S.D.N.Y. 2013) (citing *Bayerische Landesbank v. Aladdin Capital Mgmt. LLC*, 692 F.3d 42, 49 (2d Cir. 2012)). Thus, in order to invoke this Court's diversity jurisdiction, Plaintiffs must allege that the citizenship of each member of the LLC defendants was diverse from Plaintiffs at the date of this action's filing.

Therefore, Plaintiffs shall, on or before September 7, 2022, either (1) show cause as to why the Complaint should not be dismissed for lack of subject matter jurisdiction, or (2) move to file an amended complaint that properly pleads jurisdiction. If Plaintiffs fail to do so, this action may be dismissed.

SO ORDERED.

Dated: August 31, 2022
New York, New York



J. PAUL OETKEN
United States District Judge